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Marilyn R. Khorsandi

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David Allison Bennett, et al.
Patent No. : 7,664,651
Application No. : 09/684,866
Filed : October 6, 2000
Issued : February 16, 2010
Title : APPARATUS, SYSTEMS AND METHODS FOR
ONLINE, MULTI-CARRIER, MULTI-SERVICE
PARCEL SHIPPING MANAGEMENT
Grp./Div. : 3629
Examiner : Jamisue A. Plucinski
Docket No. : PSTM0038/MRK/STM

APPLICATION¹ FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT
INDICATED IN DECISION ON REQUEST FOR RECALCULATION OF PATENT TERM
ADJUSTMENT IN VIEW OF WYETH UNDER 35 USC §154(b)(3)(B)(ii)

Commissioner for Patents (Filed Electronically)
P.O. Box 1450
Alexandria, VA 22313-1450

140 S. Lake Ave., Suite 312
Pasadena, CA 91101
May 18, 2010

Commissioner:

The Decision (the "Decision;" a copy of which is enclosed herewith for convenient reference) by the Patent Office granting a Patent Term Adjustment in view of Wyeth of 1180 days (sometimes referred to herein as the "Wyeth-Recalculation" or the "Wyeth-PTA-Recalculation") is gratefully acknowledged with appreciation.

This is an Application for Reconsideration of Patent Term Adjustment ("PTA") for the above-identified Patent to correct errors in the calculation of the Decision-reported PTA and **reduce** the Patent Term Adjustment **from 1180 to 1151**. Reasons for the corrective reduction are given in the concurrently-filed Statement of the Correct Patent Term Adjustment In Support of Application for Reconsideration of Patent Term Adjustment.

¹ The Decision indicated that if an Application for PTA Correction is filed electronically, that Patentee(s) should use "document code PET.OP" However, it is respectfully submitted that PTO FORM PET.OP comprises a "Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b)." It is respectfully submitted that the present Application For Reconsideration does not involve a patent application that has been abandoned, and therefore, that the PTO FORM PET.OP is not the appropriate form to use; Patentee(s) therefore respectfully submit this Application for Reconsideration without using PTO FORM PET.OP.

APPLICATION FOR RECONSIDERATION OF WYETH-RECALCULATION OF PATENT TERM
ADJUSTMENT

U.S. Patent No. 7,664,651

U.S. Application No. 09/684,866

The Decision shows a Mail Date of April 21, 2010. The Decision provided one month, or thirty days, whichever is longer, in which to request reconsideration of the Wyeth-PTA-Recalculation. It is respectfully submitted that the present Application for Reconsideration of the Wyeth-PTA-Recalculation is timely filed because it is filed before the expiration of May 21, 2010, which is one month from the April 21, 2010 Mail Date of the Decision.

A fee is normally required for filing an application to request Patent Term Adjustment ("PTA") Reconsideration. However, the present Application is filed to **reduce** the Patent Term Adjustment calculated by the U.S.P.T.O. in error and is not due to any error by Patentee(s)/Applicant(s). Even so, as required by 37 C.F.R. §1.705(b)(1), the Commissioner is hereby authorized to charge the fee set forth in 37 C.F.R. §1.18(e), and to charge any underpayment of fees, or credit any overpayment of fees, for the above-identified Patent, to Deposit Account No. 501574. Please show our docket number (PSTM0038/MRK/STM) with any charge or credit to our Deposit Account.

In the event that the fee for the present Application is charged but is later refunded, Commissioner is respectfully requested to refund the amount to Deposit Account No. 501574 with a notation of our docket number (PSTM0038/MRK/STM) for the refund.

Respectfully submitted,
KHORSANDI PATENT LAW GROUP,
A LAW CORPORATION

May 18, 2010
Date

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